

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12933, of Lorraine R. Grant, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance allowing an addition to a non-conforming structure which now exceeds the allowable percentage of lot occupancy (Paragraph 7107.21) in an R-5-B District at the premises 2211 - 12th Place, N.W. (Square 271, Lot 133).

HEARING DATE: May 23, 1979

DECISION DATE: May 23, 1979 (Bench Decision)

FINDINGS OF FACT:

1. This application appeared on the preliminary calendar of the hearing held on May 23, 1979. Many of the notices to the occupants of property within 200 feet of the subject premises were returned by the U.S. Post Office. The Office of Planning and Development report, discussed below, reflected that many of the properties on 12th Place were under renovation and many were boarded-up. None of the properties were occupied. The Board determined that the notice requirements of the Supplemental Rules of Practice and Procedure had been met.

2. The subject property is located on the east side of 12th Place, N.W. between Florida Avenue and W Street, N.W. It is known as 2211 - 12th Place, N.W. and is in an R-5-B District.

3. The subject lot is twelve feet wide, has a lot area of 756 square feet and a rear yard depth of 21.75 feet. The lot is improved with a two-story brick single family row dwelling that was constructed about 1890. The dwelling is presently vacant.

4. To the north of the subject property are row dwellings, followed by Cardoza High School north of Florida Avenue. To the east is a ten foot wide public alley. To the south are row dwellings followed by the old site of Children's Hospital. To the west is 12th Street followed by row dwellings.

5. The applicant proposes to add a one-story rear brick addition to the first floor. The addition will enlarge the present kitchen and also create a walk-out balcony from a second floor guest room.

6. The addition will be twelve feet by four feet in dimension and will occupy an area previously a courtyard. The addition will not extend beyond the rear walls of the existing structure.

7. The present structure exceeds the lot occupancy requirements of the Zoning Regulations by approximately forty-two square feet. The proposed addition will not increase the lot occupancy since it will be within a court less than five feet in width.

8. The Office of Planning and Development, by report dated May 18, 1979, and at the public hearing recommended that the application be granted on the grounds that the requested area variance will not cause a substantial detriment to the public good, nor impair the intent, purpose and integrity of the Zoning Regulations and Map. The light and air of the neighboring properties will not be affected adversely by the proposed one-story addition. The Board so finds.

9. There was no opposition to the application.

CONCLUSIONS OF LAW:

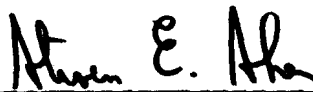
Based on the record, the Board concludes that the applicant is seeking an area variance, which requires a showing of a practical difficulty arising from the property itself. The Board notes that the subject lot has an exceptionally narrow width of twelve feet and an exceptionally small area. The Board concludes that the narrowness and size of the lot constitute the practical difficulty. The Board further notes that this dwelling was constructed in 1890 and became non-conforming prior to the current Zoning Regulations and that the proposed addition will not increase the lot occupancy.

There was no opposition to the application. The Board further concludes that the application can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 3-0 (John G. Parsons, Chloethiel Woodard Smith and Leonard L. McCants to GRANT, William F. McIntosh and Charles R. Norris, not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 23 JUL 1979

Under Sub-section 8204.3 of the Zoning Regulations "no decision or order of the Board shall take effect until ten days after having become final pursuant to the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AND APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.